

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. Harvey and James W. Cuddihy:

Serial No.: 08/448,644

Filed: May 24, 1995

For: SIGNAL PROCESSING APPARATUS AND
METHODS

Group Art Unit: 2733

Examiner: MARCELO, M.

Atty Dkt: 05634.0163

*#25
Petition
3/1/99*

*Received
FEB 05 1999
Group 2700*

SUBMISSION UNDER 37 C.F.R. 1.129(a)

BOX: AFTER FINAL

Assistant Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

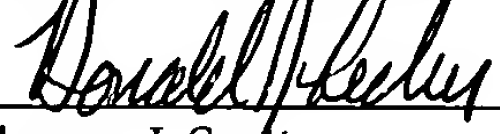
Applicants request that the finality of the final rejection dated February 5, 1998 be withdrawn in view of this timely filed first submission under 37 C.F.R. § 1.129(a). Our Check No. 304843 is enclosed for payment of the fee set forth in 37 C.F.R. § 1.17(r). The present application has an effective pendency of at least two years as of June 8, 1995, taking into account any reference of record to any earlier filed application under 35 U.S.C. § 120, 121 and 365(c). This petition and the fee set forth in § 1.17(r) are being filed prior to the filing of an appeal brief and prior to abandonment of the application. Applicants therefore respectfully request that the amendment and request for reconsideration previously filed be entered.

Applicants respectfully request a four-month extension of time in which to respond to the Final Office Action mailed February 5, 1998, for which a response period expiring on May 5, 1998 was set. The extended period expires on May 5, 1999.

However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account No. 08-3038.

Date: February 5, 1999
HOWREY & SIMON
1299 Pennsylvania Avenue, NW
Washington, D.C. 20004

Respectfully submitted,



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